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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/672,907
Filing Date: September 26, 2003
Appellant(s): KARAOGUZ ET AL.

Joseph M. Butscher
Reg. No. 48,326
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed June 19, 2009 appealing from the Office action mailed December 3, 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,643,781	Merriam	11-2003
7,133,920	Tsujisawa	11-2006
7,317,798	Saito	1-2008
5,748,084	Isikoff	5-1998

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 and 7-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merriam, U.S. Patent 6,643,781 in view of Tsujisawa, U.S. Patent 7,133,920 in further view of Saito, U.S. Patent 7,317,798.

As per claim 1, it is disclosed by Merriam of a method for theft prevention of communications devices used in a communication network. A communication device

deployed at a location that is communicatively coupled to the communication network is registered. After registering the communication device, validation information is received wherein the validation information is entered via the communication device. It is then determined whether the communication device is authorized for use in the communication network based on the validation information entered via the communication device (col. 2, lines 21-31 and col. 6, lines 31-40 & 54-65). The teachings of Merriam fail to disclose of registration information associated with the location of the device. The teachings of Tsujisawa disclose of verification of the registration information associated with the location of the device (col. 1, lines 59-62; col. 2, lines 37-46; and col. 4, lines 36-54). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to register device location which is associated with a particular user. The teachings of Tsujisawa recite of motivation for applying the tracking of location information by disclosing registering a user with information that is specific to both the user and the computer's location (col. 1, lines 59-62; col. 2, lines 37-46; and col. 4, lines 36-54). It is obvious that the teaching of Merriam would have found the location registration beneficial in an attempt to determine if the location information registered with a particular device matches what is stored in a database as is disclosed by Tsujisawa.

The combined teachings of Merriam and Tsujisawa fail to disclose of registration information associated comprising a device serial ID number associated where the location the communication device is registered. It is taught by Saito that registration information associated comprising a device serial ID number associated where the

location the communication device is registered (col. 14, lines 49-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated register device specific information tied a particular location to be used for tracking purposes. The teachings of Saito disclose of motivation for registration of device specific information by reciting tracking the location of the movement of a particular device based on the device specific identification information (col. 12, lines 9-44). The teachings of Tsujisawa disclose of tracking information and the teachings of Saito offer the aspect of tracking a device based on device specific identifying information which would aid the teachings of Merriam for aiding in theft prevention.

As per claim 2, it is taught by Merriam wherein registering the communication device includes the device serial number (col. 6, lines 54-65).

As per claim 3, Merriam discloses wherein receiving the validation information includes receiving the device serial ID number (col. 6, lines 54-65).

As per claim 4, the teachings of Merriam recite of locking the communication device out of the communication network upon determination that the communication device is unauthorized (col. 6, lines 31-40 & 54-65).

As per claim 7, Merriam discloses of a system supporting theft prevention of communication devices used in a communication network. A processor communicatively coupled to the communication network, receives information related to the communication device. The processor receives validation information entered into the communications network via the communications device and determines whether the communication device is authorized for use in the communication network based on

the received validation information (col. 2, lines 21-31 and col. 6, lines 31-40 & 54-65). The teachings of Merriam fail to disclose of registration information associated with the location of the device. The teachings of Tsujisawa disclose of verification of the registration information associated with the location of the device (col. 1, lines 59-62; col. 2, lines 37-46; and col. 4, lines 36-54). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to register device location which is associated with a particular user. The teachings of Tsujisawa recite of motivation for applying the tracking of location information by disclosing registering a user with information that is specific to both the user and the computer's location (col. 1, lines 59-62; col. 2, lines 37-46; and col. 4, lines 36-54). It is obvious that the teaching of Merriam would have found the location registration beneficial in an attempt to determine if the location information registered with a particular device matches what is stored in a database as is disclosed by Tsujisawa.

The combined teachings of Merriam and Tsujisawa fail to disclose of registration information associated comprising a device serial ID number associated where the location the communication device is registered. It is taught by Saito that registration information associated comprising a device serial ID number associated where the location the communication device is registered (col. 14, lines 49-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated register device specific information tied a particular location to be used for tracking purposes. The teachings of Saito disclose of motivation for registration of device specific information by reciting tracking the location of the movement of a

particular device based on the device specific identification information (col. 12, lines 9-44). The teachings of Tsujisawa disclose of tracking information and the teachings of Saito offer the aspect of tracking a device based on device specific identifying information which would aid the teachings of Merriam for aiding in theft prevention.

As per claim 8, Merriam teaches that the processor comprises a personal computer (col. 2, line 63 through col. 3, line 4).

As per claim 9, the disclosure of Merriam teaches of a system supporting theft prevention of communication devices used in a communication network. A communication device is deployed in a home environment. A communication network communicatively coupled to the home environment receives validation information entered via the communication device and relates to the communication device. It is determined whether to grant the communication device access to the communication network, based on the validation information entered via the communication device (col. 2, lines 21-31 and col. 6, lines 31-40 & 54-65).

The combined teachings of Merriam and Tsujisawa fail to disclose of registration information associated comprising a device serial ID number associated where the location the communication device is registered. It is taught by Saito that registration information associated comprising a device serial ID number associated where the location the communication device is registered (col. 14, lines 49-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated register device specific information tied a particular location to be used for tracking purposes. The teachings of Saito disclose of motivation for registration of

device specific information by reciting tracking the location of the movement of a particular device based on the device specific identification information (col. 12, lines 9-44). The teachings of Tsujisawa disclose of tracking information and the teachings of Saito offer the aspect of tracking a device based on device specific identifying information which would aid the teachings of Merriam for aiding in theft prevention.

As per claim 10, it is taught by Merriam that the communication network comprises an Internet infrastructure (col. 3, lines 6-20).

As per claim 11, Merriam discloses that the communication network comprises the Internet (col. 3, lines 6-20).

As per claim 12, the teachings of Merriam disclose that the communication network comprises a closed communication infrastructure (col. 3, lines 6-20).

As per claim 13, it is disclosed by Merriam that the authorization information includes a device serial ID number (col. 6, lines 54-65).

As per claim 14, Merriam teaches that the communication device is a personal computer (col. 2, line 63 through col. 3, line 4).

As per claim 15, Merriam discloses of a system for supporting theft prevention of communication devices used in a communication network. A storage device residing in a first home environment and media device resides in a second home environment. A communication network communicatively coupled to the first home environment and the second home environment, the communication network analyzes validation information entered via the media device and determines whether to grant access of the media device to the first home environment via the communication network, based on the

validation information entered via the media device residing in the second home environment (col. 2, lines 21-31; col. 3, lines 6-20; and col. 6, lines 31-40 & 54-65). The teachings of Merriam fail to disclose of registration information associated with the location of the device associated with a second home environment. The teachings of Tsujisawa disclose of verification of the registration information associated with the location of the device associated with a second home environment (col. 1, lines 59-62; col. 2, lines 37-46; and col. 4, lines 36-54). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to register device location which is associated with a particular user. The teachings of Tsujisawa recite of motivation for applying the tracking of location information by disclosing registering a user with information that is specific to both the user and the computer's location (col. 1, lines 59-62; col. 2, lines 37-46; and col. 4, lines 36-54). It is obvious that the teaching of Merriam would have found the location registration beneficial in an attempt to determine if the location information registered with a particular device matches what is stored in a database as is disclosed by Tsujisawa.

The combined teachings of Merriam and Tsujisawa fail to disclose of registration information associated comprising a device serial ID number associated where the location the communication device is registered. It is taught by Saito that registration information associated comprising a device serial ID number associated where the location the communication device is registered (col. 14, lines 49-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated register device specific information tied a particular location to be used

for tracking purposes. The teachings of Saito disclose of motivation for registration of device specific information by reciting tracking the location of the movement of a particular device based on the device specific identification information (col. 12, lines 9-44). The teachings of Tsujisawa disclose of tracking information and the teachings of Saito offer the aspect of tracking a device based on device specific identifying information which would aid the teachings of Merriam for aiding in theft prevention.

As per claim 16, it is taught by Merriam wherein the communication network analyzes authorization information and determines whether to grant access of the media device to the storage device (col. 6, lines 31-40 & 54-65).

As per claim 17, it is disclosed by Merriam that the communication network comprises an Internet infrastructure (col. 3, lines 6-20).

As per claim 18, Merriam teaches that the communication network comprises the Internet (col. 3, lines 6-20).

As per claim 19, the teachings of Merriam disclose that the communication network comprises a closed communication infrastructure (col. 3, lines 6-20).

As per claim 20, it is disclosed by Merriam that the authorization information includes a device serial ID number (col. 6, lines 54-65).

As per claim 21, Merriam teaches that the communication device is a personal computer (col. 2, line 63 through col. 3, line 4).

As per claims 22-25, the teachings of Merriam are relied upon for disclosing of a user name and a password if the communication device is to be used at another location that is separate and distinct from said location where the communication device

is registered (col. 6, line 48 through col. 7, line 5). The teachings of are relied upon for registration information comprises the device serial ID number of the communication device associated with said location where the communication device is registered if the device is to be used only at said location where the communication device is registered, and wherein said registration information comprises the device serial ID number of the communication device (col. 14, lines 49-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated register device specific information tied a particular location to be used for tracking purposes. The teachings of Saito disclose of motivation for registration of device specific information by reciting tracking the location of the movement of a particular device based on the device specific identification information (col. 12, lines 9-44). The teachings of Tsujisawa disclose of tracking information and the teachings of Saito offer the aspect of tracking a device based on device specific identifying information which would aid the teachings of Merriam for aiding in theft prevention.

3. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merriam, U.S. Patent 6,643,781 in view of Tsujisawa, U.S. Patent 7,133,920, in further view of Saito, U.S. Patent 7,317,798, in further view of Ishikoff, U.S. Patent 5,748,084.

The combined teaches of Merriam, Tsujisawa, and Saito fail to teach of determining the location of the device and notifying an authority of the location of the communication device if it has been reported stolen. It is taught by Ishikoff et al determining the location of the device and notifying an authority of the location of the communication device if it has been reported stolen (col. 1, lines 59-65 and col. 3, lines

47-54). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to be able to locate a lost or stolen device. The teachings of Ishikoff recite of motivational benefits by reporting lost or stolen devices by disclosing the aiding in the retrieval of stolen devices by reciting it can expedite in the return of the stolen device and furthermore, can assist in the capture of the thief to act as a deterrent against theft (col. 2, lines 60-66). It would have been obvious that the combination of the teachings of Merriam, Tsujisawa, and Saito would have been further secured against theft by applying the teachings of Ishikoff as a measure to aid in the retrieval of stolen devices.

(10) Response to Argument

I. A. With regards to claim 1, it is argued by the applicant that the examiner has failed to meet the Appellant's claimed limitations of "wherein said at least one registration information comprises a device serial ID number associated with said location where the communication device is registered."

The examiner disagrees with the Appellant's assertion. Tsujisawa is relied upon for teaching of the verification of registration information that is associated with a location of the device. Location information is registered and maintained by a server in a database. Tsujisawa discloses of the need to apply the tracking of location information by disclosing of the registration information that is specific to both the user and the computer's location, see column 1, lines 59-62, column 2, lines 37-46, and column 4, lines 36-54. The teachings of Saito are relied upon for disclosing of

associated registration information comprises a device serial ID number associated where the location the communication device is registered, see column 14, lines 49-67. Saito discloses of acquiring a home address as an IP address of a corresponding terminal and it is checked to see whether the acquired home address is registered in the database, the globally unique identifier of the communication terminal is stored by the server in the database and the location information is updated when movement occurs, see column 12, lines 8-11 & 29-48 and column 14, lines 49-53. An IP address is interpreted as a location on the network since it is the mobile terminal that is registered at specific location and communications are directed to that particular address. For example, on page 15 of the applicant's specification, paragraph 55 indicates that the location is "the 1st home" which would correspond to an IP address. As shown by both the teachings of Tsujisawa and Saito, they both disclose of registration of the location of the communication device. Saito shows that the location information is associated with a device ID.

B. With regards to claim 7, it is argued by the Appellant that the combined teachings of Merriam, Tsujisawa, and Saito fail to disclose of "a device serial ID number of the communication device associated with said location where the communication device is registered."

The examiner respectfully disagrees with the Appellant's arguments. Tsujisawa is relied upon for teaching of the verification of registration information that is associated with a location of the device. Location information is registered and maintained by a server in a database. Tsujisawa discloses of the need to apply the tracking of location

information by disclosing of the registration information that is specific to both the user and the computer's location, see column 1, lines 59-62, column 2, lines 37-46, and column 4, lines 36-54. The teachings of Saito are relied upon for disclosing of associated registration information comprises a device serial ID number associated where the location the communication device is registered, see column 14, lines 49-67. Saito discloses of acquiring a home address as an IP address of a corresponding terminal and it is checked to see whether the acquired home address is registered in the database, the globally unique identifier of the communication terminal is stored by the server in the database and the location information is updated when movement occurs, see column 12, lines 8-11 & 29-48 and column 14, lines 49-53. An IP address is interpreted as a location on the network since it is the mobile terminal that is registered at specific location and communications are directed to that particular address. For example, on page 15 of the applicant's specification, paragraph 55 indicates that the location is "the 1st home" which would correspond to an IP address. As shown by both the teachings of Tsujisawa and Saito, they both disclose of registration of the location of the communication device. Saito shows that the location information is associated with a device ID.

C. With regards to claim 9, it is argued by the Appellant that the combined teachings of Merriam, Tsujisawa, and Saito fail to teach that "the registration information associated with a location of the communication device, wherein said registration information comprises a device serial ID number of the communication device associated with said location."

The examiner respectfully disagrees with the Appellant's assertion. Tsujisawa is relied upon for teaching of the verification of registration information that is associated with a location of the device. Location information is registered and maintained by a server in a database. Tsujisawa discloses of the need to apply the tracking of location information by disclosing of the registration information that is specific to both the user and the computer's location, see column 1, lines 59-62, column 2, lines 37-46, and column 4, lines 36-54. The teachings of Saito are relied upon for disclosing of associated registration information comprises a device serial ID number associated where the location the communication device is registered, see column 14, lines 49-67. Saito discloses of acquiring a home address as an IP address of a corresponding terminal and it is checked to see whether the acquired home address is registered in the database, the globally unique identifier of the communication terminal is stored by the server in the database and the location information is updated when movement occurs, see column 12, lines 8-11 & 29-48 and column 14, lines 49-53. An IP address is interpreted as a location on the network since it is the mobile terminal that is registered at specific location and communications are directed to that particular address. For example, on page 15 of the applicant's specification, paragraph 55 indicates that the location is "the 1st home" which would correspond to an IP address. As shown by both the teachings of Tsujisawa and Saito, they both disclose of registration of the location of the communication device. Saito shows that the location information is associated with a device ID.

D. With regards to claim 15, the Appellant argues that the combined teachings of Merriam, Tsujisawa, and Saito fail to disclose that "the registration information associated with at least the second home environment, wherein the registration information comprises a device serial ID number of the media device associated with the second home environment."

The examiner disagrees with the Appellant's arguments, they fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Merriam teaches of a storage device residing in a first home environment and media device resides in a second home environment. A communication network communicatively coupled to the first home environment and the second home environment, the communication network analyzes validation information entered via the media device and determines whether to grant access for the media device to the first home environment via the communication network, based on the validation information entered via the media device residing in the second home environment (col. 2, lines 21-31; col. 3, lines 6-20; and col. 6, lines 31-40 & 54-65.

Tsujisawa is relied upon for teaching of the verification of registration information that is associated with a location of the device. Location information is registered and maintained by a server in a database. Tsujisawa discloses of the need to apply the tracking of location information by disclosing of the registration information that is specific to both the user and the computer's location, see column 1, lines 59-62, column

2, lines 37-46, and column 4, lines 36-54. The teachings of Saito are relied upon for disclosing of associated registration information comprises a device serial ID number associated where the location the communication device is registered, see column 14, lines 49-67. Saito discloses of acquiring a home address as an IP address of a corresponding terminal and it is checked to see whether the acquired home address is registered in the database, the globally unique identifier of the communication terminal is stored by the server in the database and the location information is updated when movement occurs, see column 12, lines 8-11 & 29-48 and column 14, lines 49-53. An IP address is interpreted as a location on the network since it is the mobile terminal that is registered at specific location and communications are directed to that particular address. For example, on page 15 of the applicant's specification, paragraph 55 indicates that the location is "the 1st home" which would correspond to an IP address. As shown by both the teachings of Tsujisawa and Saito, they both disclose of registration of the location of the communication device. Saito shows that the location information is associated with a device ID.

E. With regards to claims 22-25, it is argued by the Appellant that the teachings fail to disclose "wherein said registering comprises entering the device serial ID number of the communication device associated with said location where the communication device is registered if the device is to be used only at said location where the communication device is registered, and wherein said registering comprises entering the device serial ID number of the communication device, a user name and a password

if the communication device is to be used at another location that is separate and distinct from said location wherein the communication device is registered."

The examiner disagrees with the Appellant's arguments. Tsujisawa is relied upon for teaching of the verification of registration information that is associated with a location of the device. Location information is registered and maintained by a server in a database. Tsujisawa discloses of the need to apply the tracking of location information by disclosing of the registration information that is specific to both the user and the computer's location, see column 1, lines 59-62, column 2, lines 37-46, and column 4, lines 36-54. The teachings of Saito are relied upon for disclosing of associated registration information comprises a device serial ID number associated where the location the communication device is registered, see column 14, lines 49-67. Saito discloses of acquiring a home address as an IP address of a corresponding terminal and it is checked to see whether the acquired home address is registered in the database, the globally unique identifier of the communication terminal is stored by the server in the database and the location information is updated when movement occurs, see column 12, lines 8-11 & 29-48 and column 14, lines 49-53. An IP address is interpreted as a location on the network since it is the mobile terminal that is registered at specific location and communications are directed to that particular address. For example, on page 15 of the applicant's specification, paragraph 55 indicates that the location is "the 1st home" which would correspond to an IP address. As shown by both the teachings of Tsujisawa and Saito, they both disclose of registration of the location of the communication device. Saito shows that the location information is associated with

a device ID. The device serial ID inherently has to be entered since it is being used for comparison to determine if it is registered at a particular location. If the device serial ID has not been previously entered, it would not exist for comparison. Merriam discloses of requiring entry of a user id and password in order to access the device, see column 6, line 66 through column 7, line 17. Tsujisawa teaches that user information is registered with a user's password when storing the device location information, see column 4, lines 36-54. Passwords are notoriously well known to one of ordinary skill as being used to grant a user access, in this particular instance, the access would be to use the communication device. As shown by the combined teachings of Merriam, Tsujisawa, and Saito, the combination discloses "wherein said registering comprises entering the device serial ID number of the communication device associated with said location where the communication device is registered if the device is to be used only at said location where the communication device is registered, and wherein said registering comprises entering the device serial ID number of the communication device, a user name and a password if the communication device is to be used at another location that is separate and distinct from said location wherein the communication device is registered"

II. With regards to claims 5 and 6, the Appellant asserts that the combined teachings of Merriam, Tsujisawa, Saito, and Ishikoff do not render claims 5 and 6 unpatentable for the reasons discussed above with respect to claim 1.

The examiner disagrees with the Appellant's arguments since they fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims

define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Ishikoff et al is relied upon for determining the location of the device and notifying an authority of the location of the communication device if it has been reported stolen, column 1, lines 59-65 and column 3, lines 47-54.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Christopher Revak

/Christopher A. Revak/

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